

Minutes of the Judiciary and Law Enforcement Committee - February 13, 2004

The meeting was called to order at 8:30 a.m. by Chair Stamsta.

Present: Chair Duane Stamsta, County Board Supervisors Kathleen Cummings (arrived at 8:39 a.m.), Keith Harenda, Mareth Kipp, Joseph LaPorte, William Mitchell; **Absent:** David Swan

Staff Present: County Board Chief of Staff Lee Esler, Legislative Policy Advisors Dave Krahn and Mark Mader, Legislative Associate Sandra Meisenheimer

Also Present: Bob Gibson, Consultant with Preston Corp. of America; Court Commissioner Martin Binn, Program Director of Wisconsin Community Service Joanne Eiring, Pre-Trial Screener Melissa Emberts, Clerk of Courts Program & Projects Analyst Tera Nehring, Sheriff Dan Trawicki, Inspector Bob Johannik, Jail Administrator Mike Giese, Captain Meg Schnabl, Building Projects Manager Dennis Cerreta, Public Works Director Rich Bolte, Senior Financial Analyst Mike Baniel, County Board Supervisor Bonnie Morris, Chairman Jim Dwyer

Legislative Update

Krahn distributed his report on legislation pertaining to the committee as of 2/13/04. He reviewed the following bills: AB 352 (moving through the process; senate just approved on 2/10); AB 658 (committee approved in assembly; cities are in favor); and SB 51 (referred to Finance and might not make it through the process).

Krahn stated the big gorilla right now is TABOR (Taxpayer's Bill of Rights) that many people do not understand. Representative Frank Lasee has been trying for years to get an amendment to the constitution. This is not a bill but an assembly joint resolution. If passed, it would change forever how government functions in Wisconsin.

Status Update on Criminal Justice Collaborating Council (CJCC) with an Emphasis on the Pre-Trial Program

Gibson, Binn, Eiring and Emberts were present. Two handouts were distributed: 1) Waukesha County Pretrial Services Screening Report, and 2) Actual numbers for the program (November and December 2003). Gibson said the pre-trial screening program began in October of 2003.

Binn said with the old system he learned about a defendant when he was handed the criminal complaint. By using the Pretrial Screening Services Report, he is able to review a defendant's history before he/she comes through lock-ups at 1:30 p.m. In other words, he gets a head start on background information and is therefore able to make a more informed decision. What he likes about this program is no one can argue with the facts. Gibson said one major point is when a defendant's family is called for verification, about 25% of the time the family doesn't know he/she is in jail so this helps in that regard. Emberts said they share an office with Mental Health so if a defendant needs medication, it is readily available. Binn gave many examples of how the information that is obtained helps to resolve a defendant's case. Gibson added that the Sheriff's office did everything possible in helping to make this program work. Harenda asked how much is the funding? Gibson replied that the contract is \$90,000. Eiring said the staff includes one full-time person and two part-time. Gibson also explained the handout with the actual numbers for the program. Gibson said the program is successful because of the staff's dedication. Kipp said everyone buying into this helps too.

(Kipp left the meeting at 9:35 a.m.)

Approve SJI (State Justice Institute) Grant Application for Court Self-Help

Nehring stated she is here today for approval of their grant application to the State Justice Institute. They are planning to expand and reorganize the web site. They have been live for 2 years. Although the resources they have keep the day-to-day operations going, there are some needs that go beyond the web site, such as the interactive pieces. They also want to update their interactive forms. They hope by providing the information on line and putting it in an interactive version will help the customers so not as much time will be spent with individuals by county staff. Stamsta asked how much is the grant for? Nehring said \$32,000 of which there is a 50% match of \$16,000. Of the \$16,000, a cash amount of \$3,200 is required which will be covered by what customers pay for printed copies or copies made at the center.

Nehring stated for everyone's information from April 2002 to August 2003, there were 40,000 people who accessed the site.

Motion: Mitchell moved, second by LaPorte, to approve the grant application for the Court Self-Help Program. **Motion carried 5 – 0.**

Correspondence

Stamsta addressed the following:

1. Letter asking for ideas on educational programs and speakers for the next WCA Annual Conference on September 26-28, 2004 in Milwaukee County.
2. Appropriation transfer request for \$7,800 for Waukesha County – Radio Services to charge County Executive-Emergency Management for the time and materials spent in preparing an assessment study and plan.

Approve Minutes of January 13, 2004

Motion: Harenda moved, second by Cummings, to approve the minutes of 1/13/04. **Motion carried 5 – 0.**

Executive Committee Report

Stamsta reviewed items that were discussed and/or considered at the last meeting on Monday, February 2, 2004. He stated at the next meeting on February 16, Senator Kanavas will be appearing to discuss TABOR.

Consider Proposed Ordinance: 158-O-138 Amend Capital Project 200108, Justice Facility to Modify Scope and Permit Acceptance of Bid Alternates No.'s 2 and 5

Trawicki, Johannik, Giese, Schnabl, Bolte and Cerreta were present. Trawicki stated this is a change in the option of the roof/floor to make it potentially expandable for the future. This option was not available when the last jail was built. If it had been maybe the current expansion project could have been put off by several years. Trawicki said this is not a new concept. It was part of the original plan but taken out because of cost constraints. A sample of the rubber flooring was passed around for the committee's review.

Harenda asked do you feel comfortable using the contingency at 10% construction? Cerreta said no, they don't normally do this so early in the construction process. However, it is the department's recommendation at this time. Harenda asked what happens if you get 80% done and extra money is needed but there isn't any left? Bolte said we would have to come back to the Board and ask for additional funds by ordinance, but we would be remiss in waiting that long to come forward.

Bolte said the worse unknown is behind us which was the soil, but he is still nervous. A larger contingency than the code provides was purposely provided. However, he doesn't know what is going to happen in the future. Harenda asked at what point would you make a decision on the flooring? Cerreta replied probably at 80%.

Trawicki said what he is trying to do is to have the option available for the Board and the citizens. Stamsta said by the same token through value engineering the educational programs were cut from the project. Cerreta said yes, the finishing of certain areas was taken out. Schnabl said we have what we need for now. Stamsta said one of the goals of the Criminal Justice Collaborating Council is to bring education into the jail; therefore, we are shortchanging ourselves in the near future on the education portion -- not today but in the near future. Trawicki said certainly programs could be a portion of the 17,000 square feet, but it hasn't been identified. What we're trying to do is to save some money in the future. To think that what we've built right now is it simply is not logical thinking. Trawicki said he wants to stall the process for Phase 2A as long as possible.

Cummings said she will be supporting this because it will not hamstring future Boards and will provide some choices.

Motion: Harenda moved, second by Mitchell, to approve Ordinance 158-O-138. **Motion carried 4 – 1; Stamsta voting no.**

Tour of Waukesha County Communication Center

At 10:45 a.m., the committee recessed and reconvened at the Waukesha County Communications Center at 1621 Woodburn Road in Waukesha for a tour of the facility, which was conducted by Public Works Director Rich Bolte and departmental staff.

The meeting adjourned at 11:45 a.m.

Respectfully submitted,

Kathleen M. Cummings
Secretary

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